

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Session

June 18, 2001
8:00 p.m.

Council Chambers
Bellevue, Washington

PRESENT: Mayor Mosher, Deputy Mayor Marshall, Councilmembers Creighton, Davidson, Degginger, Lee, and Noble

ABSENT: None.

1. Call to Order

The meeting was called to order at 8:06 p.m. by Mayor Mosher, who presided.

2. Roll Call, Flag Salute

Upon roll call by the City Clerk, all Councilmembers were present. Mr. Creighton, assisted by Cub Scouts and a Brownie in the audience, led the flag salute.

(a) Recognition of outgoing Board and Commission Members

Mayor Mosher said the City would like to formally recognize several citizens who have served on the City's Boards and Commissions. Jim Bloomfield, Chair of the Environmental Services Commission, introduced David Haddock and thanked him for eight years of service to the Commission.

City Clerk Myrna Basich recognized Jean McDonald and Herb Mutschler for their many years of service in library-related activities. Ms. McDonald served two eight-year terms on the Library Board and was a leader in Bellevue's joining the King County Library District in 1985. Mr. Mutschler served as Director of the King County Library District from 1963 to 1989 and was an early supporter of the new Bellevue Regional Library facility.

Parks and Community Services Director Patrick Foran introduced Irene Roberts and thanked her for serving two terms on the Parks and Community Services Board.

Planning and Community Development Director Matt Terry thanked Kevin Paulich for completing four years of service on the Planning Commission. Mr. Terry then described the

contributions of Ann Delaurenti-Newton, who served on the Arts Commission until last year and donated a tremendous amount of her time to arts initiatives.

Mr. Foran thanked Rob Ott for his service and leadership with the Youth Link Board. He thanked Tina Lin, a recent Sammamish High School graduate, for two years of service on the Board and her positive impact on the community. Mr. Foran recognized Diana Opong, a graduate of Interlake High School who joined Youth Link in sixth grade and served on the Board since 1996.

Mayor Mosher commended Ms. Lin, Ms. Opong, and Mr. Ott for their work on the 24-Hour Relay Challenge this past weekend.

3. Communications: Written and Oral

- (a) Steve Sommer, along with his brother Chris and neighbor Darcia, invited Council and the public to the Eastside Heritage Center's annual Strawberry Festival at the Winters House in Bellevue on June 21. They distributed baskets of strawberries to Councilmembers.
- (b) Ruth Brewster, Executive Director of Bellevue Youth Symphony, expressed support for the proposed Ashwood Cultural Arts Center. She said the symphony has grown and is in need of adequate space to accommodate offices, storage, and performances.
- (c) John Sullivan, a resident of the Carlyle condominium complex, expressed support for proposed Ordinance No. 5301 [Agenda Item 11(d)], which regulates short-term occupancies in residential areas outside the downtown.
- (d) Julie Worden communicated Jan Benson's regrets that she could not attend this meeting. Ms. Worden praised Council's attention to zoning laws, construction permits, and parks and recreation programs. She said the parking on lawns situation has not improved despite the recent publicity surrounding this issue. Ms. Worden encouraged Council to approve the proposed ordinance prohibiting vehicle parking on lawns [Agenda Item 11(b)] and thanked Council for its time and attention.
- (e) Mike Scott spoke to proposed Ordinance No. 5301. His company was hired a few months ago by Northwest Suites to conduct research on the local supply and demand of corporate housing. Mr. Scott said corporate housing is an important component of the region's housing market and provides housing choices for citizens.
- (f) Andy Symons, attorney for Pacific Guest Suites, expressed concern with the provisions of Ordinance No. 5301 dealing with regulation and registration. He said there are insufficient facts to support this type of regulation and encouraged Council to postpone action at this time.
- (g) Karen Willie, attorney for US Suites, reminded Council that her client has no units at the Carlyle condominium complex. US Suites has been in business for more than 15 years in Bellevue and has received no complaints regarding its units. Ms. Willie urged Council to

disapprove proposed Ordinance No. 5301. She noted the absence of public safety, health, and/or welfare needs to justify the regulations. She said there were six complaints two and a half years ago from residents of the Carlyle, but no complaints have been received since that time.

- (h) Glenn Logan, a resident of the Carlyle, encouraged Council to approve Ordinance No. 5301. He said approximately 16 percent of the units at the Carlyle are potentially available for short-term residents.

4. Reports of Community Councils, Boards and Commissions: None.

5. Report of the City Manager: None.

6. Council Business

Dr. Davidson reported on the Cascade Water Alliance meeting and activities.

Mr. Creighton co-chaired meetings of the Downtown Implementation Plan committee. He invited the public to an open house at Bellevue Art Museum on Wednesday, June 20, 4:00 p.m. to 7:00 p.m., to learn about the plan.

Mr. Noble attended a joint meeting of the Trans-Lake Washington Study's Executive Committee, Technical Committee, and Advisory Committee. The group anticipates selection of a preferred alternative next month. Mr. Noble attended the Transportation Commission meeting in which proposed changes to the Traffic Standards Code were discussed.

Mr. Lee attended the 24-Hour Relay Challenge and an ESL (English as a second language) class graduation at Crossroads Shopping Center.

Mr. Degginger attended the Cascade Water Alliance meeting, the Planning Commission's annual boat ride function, and a kickoff celebration at Lincoln Square.

Mrs. Marshall attended meetings of the Eastside Transportation Partnership and the I-90 Corridor Committee. She thanked Council and U.S. Representative Jennifer Dunn for their work on the I-90 project. Mrs. Marshall and Mr. Lee attended a meeting held by the King County Council at Bellevue Art Museum to discuss Eastside cultural arts.

Mayor Mosher described a phone call from Representative Dunn, who recently helped secure funding for EIS (Environmental Impact Statement) analysis of the I-90 preferred alternative. He encouraged Councilmembers' participation in the Association of Washington Cities' annual meeting to be held in Bellevue beginning Tuesday evening.

Mr. Mosher and Mr. Lee interviewed applicants to fill a vacancy on the Human Services Commission.

- ➡ Mr. Lee moved to appoint Nancy Oster to the Human Services Commission, and Mrs. Marshall seconded the motion.
- ➡ The motion to appoint Nancy Oster to the Human Services Commission carried by a vote of 7-0.

7. Approval of the Agenda

- ➡ Mrs. Marshall moved to approve the agenda, and Mr. Noble seconded the motion.
- ➡ The motion to approve the agenda carried by a vote of 7-0.

8. Consent Calendar

- ➡ Mrs. Marshall moved to approve the Consent Calendar, and Mr. Lee seconded the motion.
- ➡ The motion to approve the Consent Calendar carried by a vote of 7-0, and the following items were approved:
 - (a) Minutes of May 21, 2001 Study Session
Minutes of May 21, 2001 Regular Session
Minutes of June 4, 2001 Study Session
Minutes of June 4, 2001 Regular Session
 - (b) Motion to approve payment of claims for the period ending June 8, 2001, and payroll for the period May 16 through May 31, 2001.
 - (c) Resolution No. 6556 authorizing execution of an agreement with the Washington Institute of Sports Medicine and Health to provide comprehensive wellness/fitness examinations for firefighters as part of the Fire Department's Wellness/Fitness Program being developed in conjunction with the Fire Service Joint Labor Management Wellness/Fitness Initiative.
 - (d) Resolution No. 6557 authorizing execution of an agreement with Gravity Square, Inc. to provide network and server administration services.
(Discussed with Council on June 4, 2001, as part of the Network Replacement presentation.)
 - (e) Resolution No. 6558 authorizing execution of an agreement with Moos Database Services, LLC, for database consulting services.
 - (f) Resolution No. 6559 authorizing execution of an agreement for the five-year lease of a secure storage facility.

- (g) Ordinance No. 5299 authorizing execution of an agreement with the Eastside Public Safety Communications Agency (EPSCA) to provide staffing services and other resources; appropriating additional revenues for said services and resources to the General Fund and increasing the General Fund appropriation for the 2001-2002 Budget; and amending the Operating Budget adopted pursuant to Ordinance No. 5266.
 - (h) Resolution No. 6560 authorizing execution of a professional services agreement with Zipper Zeman Associates, Inc. to provide geotechnical engineering services for the citywide rockeries reconstruction project. (CIP Plan No. PW-M-12)
 - (i) Resolution No. 6561 authorizing execution of a professional services agreement in the amount of \$285,920 with Perteet Engineering, Inc. to perform the Eastgate/I-90 Corridor Study. (CIP Plan No. PW-R-137)
 - (j) Motion to award Bid No. 0114 for construction of intersection improvements at 140th Avenue NE and NE 20th Street in the amount of \$1,319,167.20 to Tydico, Inc. as low bidder. (CIP Plan No. PW-I-79)
 - (k) Motion to award Bid No. 0127 for purchase of a hydro excavator in the amount of \$170,707.20 to All West Underground, Inc. as low bidder.
 - (l) Motion to award Bid No. 0128 for purchase of a mini hydraulic excavator in the amount of \$82,270.21 to NC Machinery Company as low bidder.
9. Public Hearings: None.
10. Land Use: None.
11. Other Ordinances, Resolutions and Motions
- (a) Motion to award Bid No. 0129 for construction of the Winters House Interpretive Viewing Terrace in the amount of \$107,153.69 to L.W. Sundstrom, Inc. as low bidder. (CIP Plan No. P-R-11)

Roy Gatbunton, Parks and Community Services Assistant Director, described the bid proposal to provide an interpretive viewing terrace, improved trail access, landscaping, an irrigation system, interpretive signage, the renovation of an existing retaining wall, and ADA access at the Winters House.

- ➡ Mrs. Marshall moved to award Bid No. 0129 to L.W. Sundstrom, Inc., and Mr. Degginger seconded the motion.

Dr. Davidson feels the proposed improvements will enable the Winters House to better accommodate community meetings and events.

In response to Mr. Lee, Parks Director Patrick Foran said \$30,000 of the project's funding will come from the City's Innovations Fund, which the Parks Department will repay within three years. One purpose of the project is to attract additional meetings and events that will generate revenue.

➡ The motion to award Bid No. 0129 carried by a vote of 7-0.

- (b) Ordinance No. 5297 relating to the Land Use Code to prohibit vehicle parking on lawns and in landscaping; amending Section 20.20.590K regarding vehicle parking; and adding a definition of vehicle to Section 20.50.052 of the Bellevue Land Use Code.

(Postponed from June 4, 2001 Regular Session)

Legal Planner Carol Helland briefly reviewed the proposed ordinance to prohibit vehicle parking on lawns and landscaping.

In response to Dr. Davidson, Ms. Helland said the Sammamish Community Council would have liked to see stricter regulations but is expected to support the ordinance. On the other hand, the East Bellevue Community Council is relatively opposed to any sort of amendment that would regulate the parking of vehicles on lawns as an incursion upon private property rights.

Mr. Degginger expressed support for the ordinance, which responds to the concerns of residents. He said the ordinance is consistent with Council's priority to provide education and assistance to residents wishing to preserve their neighborhoods and to provide a mechanism of enforcement for the most egregious cases.

➡ Mr. Degginger moved to adopt Ordinance No. 5297, and Mrs. Marshall seconded the motion.

In response to Mr. Lee, Ms. Helland said Planning Commissioner Kevin Paulich opposed the parking on lawns proposal because it did not provide allowances for new gravel driveways. Mr. Paulich felt gravel driveways are important for preserving neighborhood character and for environmental reasons. Ms. Helland said the Transportation Department opined that gravel driveways, which are generally four inches thick, create essentially a hard surface identical to asphalt or concrete in terms of the effect on water permeability and runoff. She said existing gravel driveways will continue to be allowed, but new driveways must be constructed of a hard surface under existing city codes.

➡ The motion to adopt Ordinance No. 5297 carried by a vote of 7-0.

- (c) Ordinance No. 5300 relating to the regulation of noise created by repair, addition and maintenance projects on existing single-family homes, grounds and appurtenances, to amplified sound, to the clarification of administrative responsibilities and enforcement authority, to the removal of mandatory warnings and graduated monetary penalties for first-time violators, and to the classification of land use districts for identification of environmental designations; amending

Sections 9.18.015, 9.18.020, 9.18.025, 9.18.050 and 9.18.060 of the Bellevue City Code.

Ms. Helland reviewed Ordinance No. 5300 and the revisions incorporated to address Council's concerns and enforcement issues. She noted the elimination of mandatory warnings for first-time violators.

- ➡ Mr. Creighton moved to adopt Ordinance No. 5300, and Mrs. Marshall seconded the motion.

Mr. Creighton noted that he introduced this issue to Council after complaints from residents about pile driving noise on a Sunday. He is reluctant to eliminate warnings for first-time violators but understands the enforcement problems encountered in the past.

- ➡ The motion to adopt Ordinance No. 5300 carried by a vote of 7-0.
 - (d) Ordinance No. 5301 relating to the Land Use Code; adding a new general Section 20.20.800 on Short-Term Stay Uses that includes limitations and registration requirements for short-term occupancies in residential areas outside the Downtown; repealing Section 20.20.530; and amending Sections 20.50.024 (Part Hotel definition), 20.50.034 (Part Motel definition), and 20.50.048 (adding a new definition of Transient Lodging) of the Bellevue Land Use Code.

Ms. Helland summarized the ordinance to regulate short-term stay uses in residential areas outside the Downtown. She said the Planning Commission's recommendation responds to direction received from Council last year. The proposed ordinance requires the registration of short-term occupancy units and establishes a maximum of five such units per building or 20 percent of a development.

Deputy Mayor Marshall noted this proposal is the result of a Council-directed initiative. She said the advocates for this proposal are citizens, not City staff. She said the Council is committed to protecting multifamily residences just as it protects single-family neighborhoods.

- ➡ Mrs. Marshall moved to adopt Ordinance No. 5301, and Mr. Noble seconded the motion.

Dr. Davidson commented on the Council's obligation to protect neighborhoods. He said the City registers bed and breakfast businesses and accessory dwelling units. Dr. Davidson supports the ordinance.

In response to Mr. Noble, Ms. Helland said if the ordinance is approved, operators of short-term stay units will be asked to register the number of available units per building. This information will be used as future applications are received for similar units to determine whether the maximum number of units has been reached. There is no fee associated with this registration.

Mr. Lee expressed support for the ordinance, which he feels will benefit residents.

Mr. Degginger feels the ordinance represents a balancing of the interests to retain residential character and avoid overregulation. He noted Council's desire to be proactive in addressing the issue before serious problems arise in the future.

Mr. Noble said the ordinance represents good public policy. He is concerned, however, that the ordinance does not address specific issues raised in citizen complaints regarding noise and the use of wheeled carts by maids.

➡ The motion to adopt Ordinance No. 5301 carried by a vote of 7-0.

12. Unfinished Business: None.

13. Continued Oral Communications: None.

14. New business: None.

15. Executive Session: None.

16. Adjournment

At 9:30 p.m., Mayor Mosher declared the meeting adjourned.

Myrna L. Basich
City Clerk

kaw